

**IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE DISTRICT OF PUERTO RICO**

In Re:

MIGUEL ANGEL MARTINEZ ORTIZ

ROSAIDA LOPEZ SANCHEZ

Debtors

CASE NO. 11-05867 (MCF)

CHAPTER 13

COMMOLOCO, ICN.

Movant

MIGUEL ANGEL MARTINEZ ORTIZ

ROSAIDA LOPEZ SANCHEZ

Respondents

ALEJANDRO OLIVERAS RIVERA

Respondent and Chapter 13 Trustee

**OBJECTION TO CONFIRMATION  
PROPOSED CHAPTER 13 PLAN DATED SEPTEMBER 12<sup>TH</sup>, 2011**

**TO THIS HONORABLE COURT:**

**COMES NOW, CommoLoCo, Inc.** (hereinafter refer to as "CommoLoCo"), represented by the undersigned attorney and very respectfully, **STATES and PRAYS:**

1. On September 12<sup>th</sup>, 2011, Debtors filed an amended proposed Chapter 13 Plan. (Docket No. 15)

2. Creditor CommoLoCo filed a Proof of Claim on September 30<sup>th</sup>, 2011 stating the amount of \$3,935.39 as the unsecured claim amount. (Claim No. 6)

3. Debtors' proposed plan does not provide for any kind of payment, either directly nor through the Trustee, leaving Creditor without adequate protection until the plan concludes, failing to comply with Sections 361, 1322 (b)(3), 1322(b)(5), and 1325(a)(5)(A) of the Bankruptcy Code.

**WHEREFORE**, Movant respectfully moves this Honorable Court to acknowledge the above mentioned and do not confirm Debtors proposed plan dated September 12<sup>th</sup>, 2011.

**NOTICE OF RESPONSE:** Within ten (10) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 2006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise.

**CERTIFICATE OF FILING AND SERVICE:** I hereby certify that on this date a copy of this motion has been electronically filed with the Clerk of the Court using CM/ECF system which will send notifications of such filing to debtor's attorney and to the U.S. Chapter 13 Trustee, and also certify that I have mailed by United State Postal Service, copy of this motion to the following non CM/ECF participants.

In San Juan, Puerto Rico, this 3<sup>rd</sup> day of October, 2011.

**COMMOLOCO, INC.**  
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San Juan, PR 00936-3769  
Tel. (787) 641.7380 / Fax. (787) 754.8836

**S/ MONICA RODRIGUEZ VILLA**  
USDC-PR-223207